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6	IN THE UNITED STATES DISTRICT COURT
7	FOR THE DISTRICT OF ARIZONA
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9	ICON Health & Fitness, Inc., No. CV-15-1981-PHX-SMM (BSB)
10	Plaintiff,
11	v. ORDER
12	PRO-FORM.COM, internet domain name,
13	Defendant.
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15	Pending before the Court is Magistrate Judge Bridget S. Bade's Report and
16	Recommendation recommending that Plaintiff's Amended Application for Default Judgment
17	(Doc. 33) be granted and that the Court enter an order directing that the domain name
18	registrar, GoDaddy, LLC ("GoDaddy") transfer the domain name <i>pro-form.com</i> <sup>1</sup> to Plaintiff.
19	(Doc. 33.)
20	After considering the Report and Recommendation, the Court will grant Magistrate
21	Judge Bade's recommendation.
22	STANDARD OF REVIEW
23	The Court "may accept, reject, or modify, in whole or in part, the findings or
24	recommendations made by the magistrate." 28 U.S.C. § 636(b)(1)(C); see Baxter v. Sullivan,
25	923 F.2d 1391, 1394 (9th Cir. 1991). Parties have fourteen days from the service of a copy
26	of the Magistrate's recommendation within which to file specific written objections to the
27	Court. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6, 72. Failure to object to a Magistrate Judge's
28	
	<sup>1</sup> The Court will use italics to designate the use of an internet domain name.

1	recommendation relieves the Court of conducting de novo review of the Magistrate Judge's
2	factual findings and waives all objections to those factual findings on appeal. See Turner v.
3	Duncan, 158 F.3d 449, 455 (9th Cir. 1998). A failure to object to a Magistrate Judge's legal
4	conclusion "is a factor to be weighed in considering the propriety of finding waiver of an
5	issue on appeal." <u>Id.</u>
6	DISCUSSION
7	Having reviewed Magistrate Judge Bade's Report and Recommendation, the Court
8	hereby approves, incorporates, and adopts the Magistrate Judge's Report and
9	Recommendation.
10	CONCLUSION
11	Accordingly, for the reasons set forth,
12	IT IS HEREBY ORDERED approving, incorporating, and adopting the Report and
13	Recommendation of Magistrate Judge Bridget S. Bade. (Doc. 34.)
14	IT IS FURTHER ORDERED granting Plaintiff's Amended Application for Default
15	Judgment against Defendant pro-form.com. (Doc. 33.)
16	IT IS FURTHER ORDERED that the following requirements are hereby ordered:
17	The Court directs GoDaddy, LLC, the domain name registrar, to transfer the
18	registration for the Defendant domain name <i>pro-form.com</i> to Plaintiff.
19	IT IS FURTHER ORDERED that the Clerk of Court is directed to enter judgment
20	accordingly, and terminate this case.
21	DATED this 20th day of October, 2017.
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23	Stytus n. monace
24	Stephen M. McNamee
25	Senior United States District Judge
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